

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

## HEMOFILTRATION DEVICE

the specification of which is attached hereto unless the following is checked:

[X] was filed on February 14, 1997, as United States Application No. 08/800,881 or PCT  
(Include Series Code)  
International Application No. \_\_\_\_\_, bearing attorney docket No.  
\_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign PCT International Application(s) and any priority claims under 35 U.S.C. §§119 and 365(a), (b):

(Number)	(Country-if PCT, so indicate)	(DD/MM/YY Filed)	Priority Claimed
			<input type="checkbox"/> <input type="checkbox"/>
			YES NO
(Number)	(Country)	(DD/MM/YY Filed)	<input type="checkbox"/> <input type="checkbox"/>
			YES NO
(Number)	(Country)	(DD/MM/YY Filed)	<input type="checkbox"/> <input type="checkbox"/>
			YES NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Number) (filing date)

\_\_\_\_\_  
(Application Number) (filing date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application No.) (filing date) (status-patented, pending, abandoned)

PCT International Applications designating the United States:

(PCT Appl. No.)	(U.S. Ser. No.)	(PCT filing date)	(status-patented,pending,abandoned)
-----------------	-----------------	-------------------	-------------------------------------

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David Wolf	17,528	Peter C. Lando	34,654	Paul D. Sorkin	39,039
George L. Greenfield	17,756	Gary S. Engelson	35,128	Douglas C. Doskocil	39,660
Stanley Sacks	19,900	Peter J. Gordon	35,164	John R. Van Amsterdam	40,212
Edward F. Perlman	28,105	Randy J. Pritzker	35,986	Barry W. Chapin	39,934
Lawrence M. Green	29,384	Richard F. Giunta	36,149	Scott A. Ouellette	38,573
Steven J. Henry	27,900	Douglas R. Wolf	36,971	Joseph P. Aiena	39,501
Therese A. Hendricks	30,389	Elizabeth R. Plumer	36,637	Matthew B. Lowrie	38,228
Edward R. Gates	31,616	Timothy J. Oyer	36,628	Jodi-Ann McLane	36,215
William R. McClellan	29,409	Kristofer E. Elbing	34,590	Michael G. Verga	39,410
Ronald J. Kransdorf	20,004	John N. Anastasi	37,765	Shirly N. Wodeslavsky	40,233
M. Lawrence Oliverio	30,915	Brett N. Dorny	35,860	Robert E. Rigby, Jr.	36,904
James J. Foster	30,052	Helen C. Kindregan	39,248	Sean P. Daley	P-40,978
Charles E. Pfund	17,030	James M. Hanifin, Jr.	39,213	Robert A. Skrivaneck, Jr.	P-41,316
Anthony J. Mirabito	28,161	David E. Huang	39,229	Robert M. Abrahamsen	P-40,886
Jason M. Honeyman	31,624	Thomas M. Sullivan	39,392	Lesley A. Hamlin	P-41,054
James H. Morris	34,681	Christopher S. Schultz	37,929	Lindsay G. McGuinness	38,549
				Mike W. Crosby	P-40,970

Address all telephone calls to Jason M. Honeyman at telephone no. (617) 720-3500. Address all correspondence to

Jason M. Honeyman  
c/o Wolf, Greenfield & Sacks, P.C.,  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature Jeffrey H. Burbank Date 6/4/97  
Full name of sole or first inventor Jeffrey H. Burbank  
Citizenship U.S.A.  
Residence 18 Sunrise Road, Boxford, Massachusetts 01921  
Post Office Address 18 Sunrise Road, Boxford, Massachusetts 10921

Inventor's signature Charles D. Finch, Jr. Date 6-4-97  
Full name of second or joint inventor Charles D. Finch, Jr.  
Citizenship U.S.A.  
Residence 112 Water Oaks Drive, Clinton, Mississippi 39056  
Post Office Address 112 Water Oaks Drive, Clinton, Mississippi 39056

Inventor's signature James M. Brugger Date 6/5/97  
Full name of third or joint inventor James M. Brugger  
Citizenship U.S.A.  
Residence 5B Hillside Avenue, Newburyport, Massachusetts 01950  
Post Office Address 15B Hillside Avenue, Newburyport, Massachusetts 01950

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Burbank et al.**

**Serial No.: Not yet assigned**

Filed: Submitted herewith

For: HEMOFILTRATION SYSTEM

Group Art Unit: Not yet assigned

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
AND REVOCATION OF PRIOR POWERS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, James M. Brugger, Vice President of NxStage Medical, Inc., as representative of the Assignee of record of the entire interest of the above application, hereby revoke all powers of attorney previously given and appoint the following attorneys and/or agents to prosecute and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 22249:

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EL476731902US  
Express Mail Label No.

June 27, 2001  
Date of Deposit

  
Cynthia B. Pacheco



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP  
Suite 4700  
633 W. Fifth Street  
Los Angeles, CA 90071  
(213) 489-1600

Please send all correspondence to the attention of John Kappos, at the above Customer  
Number, and direct all telephone calls to John Kappos at 949-567-2300.

Assignee of interest: NxStage Medical, Inc.  
Address: 439 South Union Street, 5<sup>th</sup> Floor, Lawrence, MA 01843  
Recorded in PTO: Reel 011315, Frame 0160, on November 13, 2000

In conformance with 37 C.F.R. §3.73(b), I hereby certify that all documents in connection  
with the chain of title have been reviewed, and to the best of my knowledge, all right, title and  
interest is in the above-identified Assignee.

Dated: 27-Jun-01

By: James M. Brugger  
James M. Brugger  
Vice President

NxStage Medical, Inc.  
439 S. Union St., 5<sup>th</sup> Floor  
Lawrence, MA 01843